

**COPY**

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW HAMPSHIRE

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\* \* \* \* \*

UNITED STATES

v.

GENERAL ELECTRIC COMPANY  
and WINDSOR-EMBASSY CORPORATION

\* \* \* \* \*

Case No.  
C 91-467-D

DEPOSITION OF WARNER E. NUTTER

Deposition taken by agreement of counsel,  
held at the U.S. Attorney's Office,  
55 Pleasant Street, Concord, New Hampshire,  
on Tuesday, April 28, 1992, commencing at  
1:05 p.m.

Court Reporter:

Sandra de Vasconcellos, CSR, RPR

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WITNESS:

Warner E. Nutter, Jr.

EXAMINATION:

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GE051096



1 She's the most important person in the room for  
2 you.

3 A My name is Warner, first name, Nutter, Jr.

4 Q And your current address, sir?

5 A Where I live now, [REDACTED]

6 [REDACTED] [REDACTED]

7 Q And when were you born, Mr. Nutter?

8 A [REDACTED] [REDACTED]

9 Q And where were you born?

10 A Maine -- what's it called -- Milo, M-i-l-o, Maine.

11 Q And how long have you lived in the [REDACTED]

12 [REDACTED] [REDACTED]

13 A Pretty close to 30 years, maybe.

14 Q And you received a subpoena, were served with a  
15 subpoena to appear here today, were you not?

16 A You mean one of these things?

17 Q Yes.

18 A That, yeah.

19 Q May I see it, please. I'd like to mark the  
20 subpoena as Exhibit 1.

21 (Subpoena was marked Nutter Exhibit 1  
22 for identification.)

23 Q Mr. Nutter, you're not currently working, are you?

GE051098

1 A No, I'm retired.

2 Q Where did you retire from?

3 A From the Town of Milford.

4 Q What did you do for the Town of Milford?

5 A Mostly in the cemetery department.

6 Q Cemetery department?

7 A Yeah.

8 Q And how long did you work there?

9 A 21 years.

10 Q Okay. When did you retire, approximately, to the  
11 best of your recollection?

12 A When did I retire?

13 Q When did you retire?

14 A I think it was about two years ago, something like  
15 that.

16 Q So that would have been about 1989, 1990?

17 A Yeah, in there.

18 Q And you worked for 21 years. So that would have  
19 been from about 1968, about then, you would have  
20 gone to work for the Town of Milford?

21 A Possible, I don't know.

22 Q We can only ask the best of your recollection.

23 A Yeah.

GE051099

1 Q Where did you work before you worked for the Town  
2 of Milford?

3 A Where did I work? The school department, yeah,  
4 Milford School Department.

5 Q And what did you do for the Milford School  
6 Department?

7 A Janitor, custodial, whatever you call those  
8 things.

9 Q Was there any particular school you worked at?

10 A Mostly in the area, Milford area schools, area  
11 school.

12 Q And about how long had you worked there?

13 A About a year. I think it was probably a year, if  
14 I remember right, a year and two months, I think,  
15 something like that. I can't remember just  
16 exactly.

17 Q That's fine, sir.

18 And where did you work before you worked for  
19 the Milford School Department?

20 A Sprague & Carlton.

21 Q And what was Sprague & Carlton?

22 A They're a furniture outfit.

23 Q And where was that?

GE051100

1 A That was in Milford.

2 Q And what were you doing for them?

3 A Well, I don't know what it was called, just a  
4 laborer. I don't know what they call them, but  
5 everything was piecework, that's all I can tell  
6 you there.

7 Q And how long did you work there?

8 A Not too long because I didn't work the machine  
9 they put me on. It's called a raybon machine.  
10 You had seconds to do it, 30 seconds, 40 seconds  
11 or a minute, minute and a half according to how  
12 much lumber you had, and it was nighttime and I  
13 couldn't do it and it went off this raybon  
14 machine, make a loud bang, kind of what you call  
15 it, but I got a little nervous on that. I  
16 couldn't quite hit the grade on that.

17 Q Where did you work before you worked at Sprague &  
18 Carlton?

19 A Maybe it was Maine. I can't go back that far.

20 Q Okay. At some point did you work at a place  
21 called Fletcher Paints?

22 A Yeah, that's right there.

23 Q Okay. About what period of time did you work at

GE051101



1 Fletcher's?

2 A All I can remember is after Labor Day, and I've  
3 been trying to remember what year it was, but I  
4 can't remember what year it was actually.

5 Q Was it before you worked at Sprague & Carlton?

6 A Oh, no, no, no, no, after Sprague & Carltons.

7 Q After Sprague & Carltons?

8 A Yeah.

9 Q So you would have worked, let's see --

10 A Maybe in the '50s or something like that. I can't  
11 remember, just like I say, what year, but it seems  
12 as though -- it seems it was in the '50s,  
13 something. It was after Labor Day, I can remember  
14 that.

15 Q Do you have a sense of how many years you worked  
16 at Fletcher Paint?

17 A I say eight years, maybe I'm wrong.

18 Q Eight years?

19 A Yeah, but maybe I'm wrong because I don't know  
20 exactly.

21 Q But certainly longer than you worked at a place  
22 like Sprague & Carlton?

23 A Oh, two weeks.

GE051102

1 Q Okay. And you think it was during the 1950s?

2 A Yeah, I said so. I can't swear to it because I  
3 don't know.

4 Q What did you do for Fletcher Paint?

5 A Cleaned out buckets, you know, made paint buckets,  
6 but -- not paint buckets, but buckets that come in  
7 you spray them out and clean them up, get them  
8 ready to put paint in, that was my job. And  
9 then -- well, once I was hooked up, I was driving  
10 a truck and everything. I learned everything was  
11 the hard work because I come from Maine. I  
12 remember he told me to go to Amherst.

13 Now, that's when I first started there,  
14 right, Amherst, New Hampshire, had to deliver some  
15 lamps. He had a store. I had to deliver some  
16 lamps, and I said, "Where the hell is Amherst?"  
17 It was only three miles away. I said, "I don't  
18 know where Amherst is." So I asked this guy.

19 He said, "Right down there. That's where  
20 you are." That's where I learned to drive the  
21 truck.

22 Q Okay. So you cleaned out your paint buckets or  
23 cleaned out buckets for them to use for paint when

GE051103

1           you first got there and then at some point you  
2           became a truck driver?

3           A        Yeah.

4           Q        And when you became a truck driver, was that  
5           basically all that you did for Fletcher Paint at  
6           that point?

7           A        Well, sometime you had to help the paint maker,  
8           you know what I mean, and stuff like that, fill  
9           the paint up in the cans and -- so this and -- all  
10          kinds of stuff.

11          Q        So you would kind of help out around the factory  
12          as well as --

13          A        Yeah, I call it a strong laborer.

14          Q        Do you have a sense of how old you were when you  
15          started at Fletcher Paint?

16          A        Well, I'm 65 now -- I mean going on 65 now, excuse  
17          me, but -- take it from there, I don't know.

18          Q        Do you remember how you got the job?

19          A        Yeah, this guy was downtown, had a restaurant  
20          downtown called Philbrick's. I know this guy, he  
21          run it, and his name was Vaughn Phibrick. He's  
22          dead now, and he told me about the paint -- I  
23          wasn't doing nothing. I was in the meantime kind

GE051104

1 of slack. I didn't have too much money, which I  
2 didn't, couple pennies, maybe, and he referred me  
3 to go up there.

4 So I said I'll give it a try. And just as I  
5 said, it was after Labor Day and that was it,  
6 right there. I was outside the door and I said,  
7 "Mr. Hooper --" I didn't know him, I didn't know,  
8 I was just taking a chance, and he said yes.

9 Q Now, since you live in Milford, have you been down  
10 to the Paint Works in recent years at all?

11 A Well, I think way back, yeah, but after it got  
12 going, after I quit, that was it, leave. I got  
13 teed off one day because I used to have to go to  
14 all these stores, I mean everything like that,  
15 and, of course, that was on my mind.

16 And you go in there and everything looks all  
17 pure and everything, but everything is going  
18 through the air. And especially when you help the  
19 paint maker, your colors take about five minutes  
20 to do that -- I call it five minutes -- and you're  
21 all covered with green, white paint, orange, and  
22 stuff like that, call it what you make it, but I  
23 got teed off.

GE051105

1                   And I was making -- I can remember this  
2 morning we was making traffic paint, and he come  
3 along and I had to go to the store, and I told the  
4 paint man, I said, "I got to go to the store, and  
5 I can't go looking like this." And, of course,  
6 that was on my mind pretty hard, so he kept right  
7 on, didn't pay no attention.

8                   Finally, I pick up a pack of pigment, throw  
9 it in the goddamn tank, whatever you call them,  
10 that was it for me. And, of course, he went up to  
11 see the superintendent in the meantime, and I  
12 tried to get cleaned up to see the superintendent.  
13 And I talked with him, and he said, "Well, you  
14 better go home," and that was it for me right  
15 there.

16           Q           Who was the superintendent?

17           A           If I remember right, Tony Casserino.

18                   MR. LAMBERT: Was that Tony Casserino?

19                   THE WITNESS: Yeah. After that it was  
20 Earl Wesson. He was something. Tony was all  
21 right in my book, but --

22           Q           And Tony was the one who was running the Paint  
23 Works day to day?

GE051106

1 A When I come in, and then this Wesson came after  
2 Tony. I mean he took charge of where us guys had  
3 to work out in the paint factory and Tony was in  
4 the office. His job was mostly in the office.

5 Q Before that Tony had been in charge of the paint  
6 factory?

7 A Well, yeah, I would say so. I ain't going to say  
8 which way or the other because I don't know. A  
9 lot of things I don't know, you know what I mean,  
10 a lot of things I do know.

11 Q All I can do is ask you things you remember.

12 A Trying to.

13 Q You're doing just fine, Mr. Nutter.

14 When you went to work at the Paint Works, at  
15 that point, did they have a storage facility up on  
16 Mill Street by the railroad tracks?

17 A Yeah.

18 Q What was that used for?

19 A Well, for storage, and paint would come in on the  
20 railroad car, you stack it up and some pigments,  
21 say green bags and white bags and black bags,  
22 and -- I say the rainbow because I don't really  
23 remember.

GE051107

1 Q Do you know, were there ever any drums stored up  
2 there?

3 A Well, it -- I would say so, yeah.

4 Q And you said, I think, that at some point it got  
5 crowded?

6 A Over on this main part?

7 Q On the Elm Street part.

8 A Okay, yeah.

9 Q And at that point, that's when they started  
10 storing drums up at Mill Street?

11 A I would say so, yeah.

12 Q Did they keep storing drums up on Mill Street the  
13 whole time that you were there working there?

14 A Well, I don't know. That's what I don't know  
15 because sometime I'm gone, see, on the truck. I  
16 don't know everything that goes on when I'm gone.  
17 I'm gone, I don't know.

18 Q Did you ever have occasion to go up to Mill Street  
19 very frequently?

20 A Well, I never give it a thought, but I have gone  
21 up there to see --

22 Q No, I meant when you were working for Fletcher  
23 Paint, would you go up there?

1 A Well, you had to because the freight would come  
2 in. I mean from where I don't know, but it would  
3 come in. You had to unload the boxcar there, so I  
4 suppose.

5 Q Did you help unload the boxcars sometime?

6 A Yeah.

7 Q Do you have any recollection of ever unloading  
8 drums from a freight car or boxcar?

9 A No, no.

10 Q Okay. So the only drums that you recall being up  
11 at Mill Street would have been moved up from the  
12 Elm Street location?

13 MR. LAMBERT: I object to that one. Why  
14 don't you try him first with a direct question  
15 before you lead.

16 MS. WITT: Okay.

17 Q Where were the drums that were at Mill Street,  
18 where did they come from?

19 A Well, some of them come in by truck. That's as  
20 much as I can tell you. I don't know because I  
21 used to deliver to Elm Street, and then they would  
22 transfer them to Mill Street, yeah, that's what  
23 I'm saying, and that's as far as I can tell you on

GE051109



1           that.

2           Q       How long had you been living in the Milford area  
3           when you went to work at Fletcher Paint?

4           A       Hey, I can't tell you that because I can't  
5           remember that, either.

6           Q       Okay.

7           A       I wish I could, but I can't.

8           Q       Now, what did they do at -- what did they  
9           manufacture at the Paint Works?

10          A       Paint.

11          Q       Did they manufacture anything else there?

12          A       Don't seem to.

13          Q       Okay.

14          A       No.

15          Q       Were you aware of any other businesses that were  
16          being run from Elm Street?

17          A       Just the paint and of course the store, yeah, the  
18          store.

19          Q       And what was the store?

20          A       Well, it had lamp shades and it had, you know,  
21          paint, paint brushes and lamp shades and -- what  
22          else did they have -- wallpaper and -- I can't  
23          remember.

GE051110

1 Q Now, as a truck driver for Fletcher Paint, what  
2 kinds of things would you go do? I mean where  
3 would you go in your truck?

4 A Well, I've been -- I guess it's Glens Falls,  
5 New York, but don't ask me how many times. I say  
6 eight times, but I just don't know. I say eight  
7 times, you know what I mean. I really don't know.

8 Q What did you go to Glens Falls for?

9 A Pick up these drums.

10 Q And do you remember where you were picking the  
11 drums up from?

12 A General Electric, as far as I know -- maybe  
13 General Electric for all I know.

14 Q And why would you go there? What would make you  
15 go to --

16 A The guy says you got to go. You know, I want  
17 no -- I didn't take it on myself to go. The boss  
18 handed me a piece of paper on it. He said, "When  
19 you get up --" this guy, which I didn't know who  
20 the guy was. So I give it to him when I get up  
21 there, finally did, but the thing was a hard way  
22 because I didn't know where the hell General  
23 Electric or Glens Falls -- in my life.

GE051111

1 Q Now, when you said that the boss would tell you to  
2 go up there, who was that?

3 A Well, I think Tony sent me up once. Now, I ain't  
4 going to say -- swear to this, and then this  
5 Wesson come along, and he said, "Well you've got  
6 to go up, too." I think he sent me up.

7 Q Did you ever have any dealings directly with  
8 Mr. Fletcher?

9 A What do you mean?

10 Q Well, I mean was he ever there on a day-to-day  
11 basis?

12 A Yeah, yeah, he was pretty steady, but he liked to  
13 travel a lot.

14 Q Did Mr. Fletcher ever send you to the General  
15 Electric plant?

16 A No.

17 Q Okay. So it was just either Mr. Wesson or  
18 Tony Casserino?

19 A Yeah, as far as I can recollect it was that, yeah.

20 Q Okay. And did you -- what time would you go? I  
21 mean would it be during the week or weekends?

22 A Well, sometime I think it was during the week,  
23 sometime -- you know, yeah, just during the week.

GE051112

1 Q During the work week?

2 A But I can't remember what day or --

3 Q No, I wouldn't expect you to.

4 How frequently would you go? Even though  
5 you may not remember how many times you went to  
6 Glens Falls, do you know a sense of time how  
7 frequently you would go? Would it be once a  
8 month, once every three months?

9 A It wasn't too much, I know that. It wasn't  
10 steady, do you know what I mean, because he had  
11 the stores, we had to tend to them, and that was  
12 it.

13 Q Did you ever go to Pittsfield, Massachusetts?

14 A I can't tell you that, no.

15 Q Do you remember if you ever went to a place in  
16 Ft. Edwards, New York?

17 A Don't ring a bell.

18 Q Okay. Now, when you would drive to Glens Falls,  
19 what would you drive there?

20 A Nothing. It would be empty going up, and coming  
21 back, that was the headache.

22 Q Okay. What kind of vehicle did you have?

23 A Well, I think he had a 186 International. I can't

GE051113

1 remember what year it is. Don't ask me what year  
2 it is. It's pretty rough. But I think when they  
3 first started to go, they had a -- they had a  
4 Chevrolet truck, a rack body one, but it seems as  
5 though I never went up with that, but I just --  
6 International, I remember pretty good on that, but  
7 I --

8 Q Okay. And did the Paint Works own this truck?

9 A Huh?

10 Q Did the Paint Works own this truck?

11 A All I know -- I couldn't tell you that.

12 Q How many drums could it carry?

13 A Well, I think -- what the hell did they have on  
14 them -- 34, something like that. I can't  
15 remember. Some of them full, some of them half  
16 full. They weren't all full. It weighed pretty  
17 heavy when it was full, I know that, and slippery,  
18 too. I mean stuff comes out. It was pretty  
19 slippery, is the best way I can explain it. I  
20 don't know what the hell it was all about, but I  
21 used to hate it, I know that. I never used to  
22 like that stuff.

23 MR. LAMBERT: I couldn't hear the first part

GE051114

1 of your answer. Did you say how many drums?

2 THE WITNESS: I said 34.

3 MR. LAMBERT: 34.

4 THE WITNESS: I may be wrong. Maybe I put  
5 on more than that, it may be less. I can't  
6 pinpoint it myself.

7 Q When you would get to the plant that you went to  
8 in Glens Falls, what would you do when you  
9 arrived?

10 A Drive in and find out where I was supposed to go  
11 to get this -- pick up this paint, whatever you  
12 call it there in the drums, and that was it, and  
13 give the guy the paper.

14 MR. LAMBERT: Could I have the answer read  
15 back.

16 (Answer read.)

17 Q What paper was that, Mr. Nutter?

18 A I guess it was a purchase order or something. I  
19 can't tell you just what it was, but.

20 Q And where did you get that?

21 A From the factory down here.

22 Q That would have been from Mr. Casserino or  
23 Mr. Wesson, whoever sent you?

GE051115

1 A Yeah.

2 Q I'd like to show you a map of the Hudson Falls GE  
3 plant and ask you to take a moment to look at the  
4 map and see if you think this is the plant that  
5 you went to to pick up -- this says John Street,  
6 Delaware Avenue and Allen Avenue are the streets  
7 that are marked that I can read. Does that look  
8 familiar to you at all, Mr. Nutter?

9 A I can remember going down a -- I don't know what  
10 street or not, but I can remember going down there  
11 and you go through, I think, a little gate and you  
12 go down over a hill and turn left, and that's all  
13 I can tell you.

14 Q Okay. That's fair enough.

15 When would you pick up the drums --

16 MR. LAMBERT: I'm sorry, was that marked as  
17 an exhibit?

18 MS. WITT: No, I didn't mark it because he  
19 didn't recall anything.

20 MR. LAMBERT: Fine.

21 Q When you would pick up the drums, do you recall  
22 how they were stored at GE?

23 A Pile it up -- stack it up or pile them up,

GE051116

1                   whatever they do.

2           Q           Were they outdoors or indoors?

3           A           It seems as though they were outdoors.

4           Q           Outdoors?

5           A           Yeah.

6           Q           Were they stacked more than one drum high?

7           A           If I remember right, some of them was and some of  
8                   them wasn't, that's what I want to say.

9           Q           Did you load the truck or did GE load the truck?

10          A           They loaded with a forklift, yeah.

11          Q           GE loaded with a forklift?

12          A           Yeah, Christ, you'd never get them on.

13          Q           Could you describe the drums at all, what they  
14                   looked like?

15          A           Well, it was a round and --

16          Q           Did they have any markings on them? Did they say  
17                   GE or any other words on them?

18          A           All I remember is Mohawk, but, you know, I don't  
19                   remember what Mohawk means. Mohawk is an injun to  
20                   me, but I don't know.

21          Q           Were they any particular color?

22          A           I can't tell you that.

23          Q           Okay. Do you know what was in the drums?

GE051117



1 A Well, I call it arocol (sic). Maybe I'm wrong. I  
2 don't know if that's the right name or not.

3 Q Was that arocol or arochlor?

4 A I call it arocol myself. Maybe it's another name.

5 Q And how did you come to think that this was what  
6 was in the drums?

7 A Well, the smell of it, you know what I mean. Of  
8 course I didn't know the name, don't get me wrong,  
9 but after I get back to the plant they seem to  
10 call it arocol and the chemist go out and test it  
11 out and see if it's okay.

12 Q And this was back at Fletcher Paint?

13 A Yeah.

14 Q Now, you said before that the drums were slippery,  
15 is that correct?

16 A Yeah, they burn, too, you know what I mean.

17 Q They burned?

18 A If the stuff got on you, it would burn you. I say  
19 burn. Maybe there's another word for it, but I  
20 say burn because I did get burnt once.

21 Q Okay. When was that?

22 A I can't tell you the date or anything on that  
23 because I don't know.

GE051118

1 Q What happened?

2 A Well, they didn't have the bung tight enough, you  
3 know, these round things, and they didn't have  
4 them tight enough, and of course they spilt on  
5 tarp, too, and everything like that.

6 And I remember wheeling them on -- I mean  
7 trying to wheel it in so I could put it in the  
8 truck from the doorway, and I guess there was a  
9 bung loose or something and it burned me, is what  
10 it did, and of course they made me change my  
11 clothes right there.

12 Q They who?

13 A The people that see this stuff on me. They said,  
14 "You've got to get this stuff off you before you  
15 go home."

16 Q Okay. So this was at the GE plant?

17 A Uh-huh. I can remember just once, though.

18 Q Right. Was it somebody from GE that was telling  
19 you you had to change your clothes?

20 A Yeah, but don't ask me who it is because I don't  
21 know.

22 Q Did they tell you why you needed to change your  
23 clothes?

GE051119

1 A Well, they claim it was kind of -- make you itchy  
2 and burny like. Mostly I have itch, you know what  
3 I mean.

4 Q Did you have any problem with that after you  
5 changed your clothes?

6 A Well, it lasted probably a month or two or  
7 something like that. I can't remember just  
8 exactly how long it lasted, and then finally it  
9 just went away.

10 Q Well, was it a rash?

11 A I guess you would call it a rash or something, I  
12 don't know.

13 Q What would you call it?

14 A Damn itchy.

15 Q Okay. What kind of condition were the drums in at  
16 GE? Were they new drums?

17 A Well, I can't tell you that because I don't know.

18 Q Did you ever have any problems with leaking or  
19 spilling?

20 A Not that I recollect, just -- these bungs, where  
21 they put the bung in and tighten them up, and of  
22 course it wasn't tight and that's how I got stuff  
23 on me.

GE051120

1 Q Were there ever any bungs missing that you recall?

2 A I don't know, I can't --

3 Q Now, after you loaded or the people from GE loaded  
4 up the truck, then what would happen?

5 A Go back home.

6 Q When did you exchange paperwork or did you give  
7 them your paperwork, when did that happen?

8 A When you go in, you give it to him, that was it;  
9 where it went from there, I don't know.

10 Q Do you remember the names of anybody you dealt  
11 with at that plant when you would go?

12 A Just the guy that was driving the forklift, do you  
13 know what I mean.

14 Q Do you remember what his name was?

15 A No.

16 Q Let me ask you some names and see if any of them  
17 ring a bell.

18 A Uh-huh.

19 Q Ed Varnum?

20 A Don't ring a bell.

21 Q Anthony Metevier or Metevier?

22 A (Witness shakes head in the negative.)

23 Q Albert Clark?

GE051121

1 A No.

2 Q Robert Keeny?

3 A No.

4 Q Robert Abbe?

5 A No.

6 Q Tom Deyette?

7 A No.

8 Q Archie Mumblo?

9 A No.

10 Q Dave Fullner?

11 A No.

12 Q Okay. Do you know if anybody else from Fletcher  
13 Paint ever went to the plant in Glens Falls,  
14 New York?

15 A I think Mr. Hooper, I think he went before I did,  
16 you know what I mean, before I got driving the  
17 truck, I think he went, if I remember right.

18 Q Okay. Anybody else?

19 A Not -- well, wait a minute now, wait, wait,  
20 there's a possibility, now, I don't know, there's  
21 a possibility a fellow by the name of  
22 Donald Jenks -- you know, he's dead now, but seems  
23 though maybe he went because he drove after I got

GE051122

1           snarled up with the -- on the DWI charge, to be  
2           honest with you. I hate to say that, but on a DWI  
3           charge. I got caught driving under the influence,  
4           and he took over. Maybe he went. You know, of  
5           course he's dead now, I know he's dead, but as far  
6           as I can tell you, that's it.

7           Q           Do you know the name Henry Stinson?

8           A           Yeah.

9           Q           Did he work for Fletcher Paint?

10          A           At one time he did, I think he did, I'm pretty  
11          sure.

12          Q           Do you have any knowledge whether he drove to the  
13          GE plant?

14          A           I have no idea.

15          Q           Do you know the name Dave Hamilton?

16          A           Yeah, he used to work there, too, he used to  
17          drive.

18          Q           Do you have any knowledge whether or not he went  
19          to the GE plant?

20          A           I have no idea.

21                   MR. LAMBERT: What was his first name,  
22                   please?

23                   MS. WITT: Dave.

GE051123

1 Q Did the drums have any smell?

2 A Well, seems as though it had a little bit, but I  
3 can't tell you how much because I don't know how  
4 much. It seems as it had a little bit, but I  
5 don't know.

6 Q Do you have any recollection of what kind of  
7 smell?

8 A No.

9 Q Did you ever have any discussions with the GE  
10 employees about what you were picking up?

11 A Never asked questions. I take that back. You  
12 asked -- I asked them how to get back home. I  
13 took the wrong way going back home, too.

14 Q Now, you said that after you left the GE plant you  
15 went back to Milford?

16 A Uh-huh.

17 Q What would happen when you got the drums back to  
18 Milford?

19 A Unload them.

20 Q And would you unload them?

21 A Well, has a guy that helped, you know what I mean,  
22 has the guy who drives the tractor, and he comes  
23 along and you get them out the door and on what

GE051124

1           they call tongs and he'd take them and pile them  
2           up as the case may be.

3           Q       Now, who was that who drove the tractor?

4           A       Clyde Bishop. He's dead now, too.

5           Q       Now, you said that you'd take them off the truck  
6           and pile them up. Was that inside or outside?

7           A       Outside.

8           Q       Was anything else done to the drums?

9           A       Well, the chemist used to take the -- I guess you  
10          call it the samples, would that be right, stuff  
11          like that, analyze them. I don't know what you  
12          do. I don't know what he did.

13          Q       Were the drums ever painted?

14          A       Don't seem as though it was painted.

15          Q       After they were piled up, was anything else done  
16          with them that you can recall?

17          A       Well, they store them. I imagine they took stuff  
18          out of them to use for their paint, do you know  
19          what I mean.

20          Q       Do you have any knowledge of what the contents of  
21          the drums were used for at Fletcher Paint?

22          A       After they get empty, I guess they just sat there  
23          as far as I know.

GE051125



1 Q What about what was in them, what was that used  
2 for, if you know?

3 A For the paint, as far as I know. I'm pretty sure  
4 it was for paint.

5 Q Were you ever involved in taking the contents of  
6 the drums and bringing it into the paint factory  
7 for use?

8 A Don't ring a bell, but maybe I did.

9 Q When the drums were unloaded at Fletcher Paint,  
10 were there ever any spills or leaks?

11 A Yeah, I imagine some, yeah. I don't know how  
12 much, but I imagine there was some spills.

13 Q Mr. Nutter, I'd like to show you a schematic map.  
14 It's just a map of the Paint Works, and what I'd  
15 like you to do, if you would for me, is -- first  
16 let's mark it 2 for identification.

17 (Map was marked Nutter

18 Exhibit 2 for identification.)

19 Q What I'd like you to do is take a look at it and,  
20 if you would, take a pen and mark to the best of  
21 your ability where you would bring the truck to  
22 when you would come back from the plant in  
23 New York.

GE051126

1 A Let's see, come down this way, I'd go this way --  
2 just --

3 Q Go ahead and draw it in and mark where you would  
4 park the truck and it would get unloaded, a big X,  
5 approximately, to the best of your recollection.

6 A Like this, in there somewhere.

7 Q Okay. And when you took the drums off of the  
8 truck, where would they be piled up?

9 A In this section.

10 Q Okay. Why don't you just kind of color in a  
11 little bit the area that they would be piled up.

12 A Well, in there.

13 Q Okay.

14 A I think that's right.

15 Q And is that where the drums would stay after you  
16 unloaded them?

17 A Yeah.

18 Q And these are the drums that you picked up in  
19 New York?

20 A Yeah.

21 Q Could you just put your initials and today's date  
22 in the lower corner of that.

23 A Right here?

GE051127

1 Q Yeah.

2 A And today's date, the 28th, 4-28-92.

3 Q Right. I'll ask you to do two more quick things;  
4 where you put the X, if you'd write truck.

5 A Okay. Truck, yeah.

6 Q And where you drew the lines where the drums were  
7 stored, if you would just write drums.

8 A Yeah, just like going to school.

9 Q Okay. Thank you very much.

10 Now, after the drums would be taken off the  
11 truck, were they ever moved anywhere else on the  
12 property to the best of your knowledge?

13 A Well, across Mill Street, that's it.

14 Q When they were stored outside, was there ever any  
15 kind of protection put over them, like a tarp or a  
16 tent or --

17 A I think it was mostly in the good old fresh air,  
18 as far as I know.

19 Q Okay. And do you have any idea how long the drums  
20 would stay there?

21 A I have no idea.

22 Q Were you ever involved in checking the quality of  
23 whatever came in the drums?

GE051128

1 A No, because I wasn't a chemist.

2 Q Okay. And I think you said before that, to the  
3 best of your knowledge, the contents of the drums  
4 were used for paint?

5 A Yeah, as far as I know.

6 Q What I'd like to do, Mr. Nutter, is show you a  
7 couple of pictures and ask if they look at all  
8 familiar to you?

9 A I don't know about the cab, but this tractor part  
10 or this part here, that looks familiar, but I  
11 won't swear about that part because I don't know.

12 Q Do you have any idea where this might be?

13 MR. LAMBERT: Has this been identified on  
14 the record? Could we have it identified?

15 MS. WITT: I wanted to see if he remembered  
16 it first and then mark it.

17 MR. LAMBERT: Just mark it before, first, to  
18 make it clearer.

19 THE WITNESS: I don't know.

20 MS. WITT: That's fine, on the back of it.  
21 Make it 3, and do 3, 4, 5 and 6.

22 (Four Photographs were marked Nutter  
23 Exhibits 3 through 6 for identification.)

GE051129

1 Q Going back with what's been marked as Nutter 3, do  
2 you know where that is?

3 A It sure ain't the Paint Works, I know that. It  
4 might be General Electric. I ain't going to swear  
5 to it.

6 Q Does it look familiar at all?

7 A No.

8 Q Okay. What I'd like to do is now show you  
9 Nutter 5 and ask if that looks familiar to you at  
10 all?

11 A No.

12 Q Okay. And show you what's been marked as  
13 Nutter 6, and here I'd ask you, do you recognize  
14 anybody in this picture?

15 A I'll take a good look. No, I can't recognize.

16 Q Okay. And the last one, what's been marked as  
17 Nutter Number 4, and here I'll ask you if you  
18 recognize anybody in this picture?

19 A No.

20 Q Okay. Thank you, Mr. Nutter.

21 Did you ever go pick up drums at a place in  
22 North Adams, Massachusetts?

23 A (Witness shakes head in the negative.)

GE051130

1 Q New Bedford, Massachusetts?

2 A No.

3 Q Do you recall ever going and picking up drums  
4 anyplace else other than the Glens Falls plant?

5 A Just Glens Falls.

6 Q Okay. Now, earlier you stated that after the  
7 drums were unloaded, they were kept outside. When  
8 drums were stored at Mill Street, were they stored  
9 inside or outside?

10 A Outside.

11 MR. LAMBERT: Was that inside or outside?

12 THE WITNESS: Outside.

13 Q Now, when the drums were stored outside at either  
14 Mill Street or Elm Street, do you have any  
15 recollection of the overall condition of the  
16 drums? Were they in good shape, rusty, leaky?

17 A I don't believe -- pretty good shape in my -- I'd  
18 say good shape in my book, but maybe it wasn't.

19 Q When the Paint Works was manufacturing paint, did  
20 the production generate any kind of waste?

21 A Well, the stuff -- it seems though they had stuff  
22 left after the paint and everything like that,  
23 there would be stuff left over.

GE051131

1 Q Okay. There would be stuff left over after they  
2 made the paint?

3 A Yeah.

4 Q Do you have any sense of how much would be left  
5 over?

6 A I have no idea.

7 Q Do you know what was done with it?

8 A Well, I guess it was dumped -- I mean went down  
9 the drain, I should say, yeah.

10 Q Do you know if it was ever poured on the ground?

11 A Not that I can recollect, no.

12 Q Do you know if anything ever was poured into the  
13 river?

14 A No.

15 Q Was that no, nothing was ever poured in the river  
16 or no, you can't recollect?

17 A I can't seem to remember that. I don't believe it  
18 was, but I don't know.

19 Q After a production run of paint was made, were the  
20 vats that the paint was made in, were they ever  
21 scraped and rinsed?

22 A Oh, yeah.

23 Q Do you know what was used -- did you ever do that?

GE051132

1 A (Witness nods head affirmatively.)

2 Q Frequently, I gather?

3 A Well, yeah, enough so it make you drunk with --

4 Q It would make you what?

5 A You go outside and drink a bottle of coke, and  
6 that was it.

7 Q Can you describe the vats? You know, how big were  
8 they?

9 A Well, they hold 100 gallons, that's all I can say.

10 Q Okay. Do you know what -- after you have scraped  
11 them what they would be rinsed with?

12 A Xylol.

13 MR. LAMBERT: Xylol?

14 THE WITNESS: Boy that was (indicating.)

15 Q I think it's X-y-l-o-l?

16 A That sounds like it.

17 Q Do you know what was done with the Xylol after you  
18 used it to rinse out the scrapings?

19 A I guess you just dumped it, I guess.

20 Q Do you know where it was dumped?

21 A Probably in the, you know, in the drain, I say.  
22 Now, I might be wrong.

23 Q Was anything drummed and -- you know, any of the

GE051133



1 liquid wastes ever put into drums that you recall?

2 A No.

3 Q Do you know if any drums were ever buried at the  
4 Paint Works?

5 A Seems though I recall that there was some buried  
6 this place here. I don't know what -- where we  
7 used to have to clean out buckets, not those but  
8 five-gallon buckets, but he built an addition, a  
9 small one.

10 Q For the record, you're pointing at Nutter 2, which  
11 is the drawing of the Paint Works. And where were  
12 you pointing?

13 A I think it was here, if I remember right.

14 Q And that's at the end of the building?

15 A Right.

16 Q Why don't you do me a favor and draw in another X  
17 where you believe drums may have been buried.

18 MR. LAMBERT: Did he say drums or buckets?

19 THE WITNESS: Yeah, drums outside, outside  
20 of this building is what it was.

21 Q Can you just draw an X where you believe that  
22 there was some drums buried.

23 A (Witness complies.)

GE051134

1 Q Can I ask you to write buried drums for me,  
2 please.

3 A Write it right in there?

4 Q Yeah, that's fine, sir.

5 Now, these drums, do you have any knowledge  
6 of whether they were empty or full?

7 A I think they were empty.

8 Q Okay. And do you have any knowledge why they were  
9 buried there?

10 A Well, because he was going to build this addition,  
11 whatever they call it.

12 Q Was it fill, then, was he using the drums as fill?

13 A Yeah, I would say so, yeah, yeah.

14 Q Now, when I say "he," would that have been  
15 Mr. Fletcher? I shouldn't have said he. The  
16 people who were running the Paint Works, was that  
17 what they were doing was putting the drums there  
18 as fill?

19 A Yeah, the tractor driver.

20 Q Do you have any knowledge whether any drums were  
21 ever taken off of the Elm Street site other than  
22 to Mill Street?

23 A I have no idea.

GE051135

1 Q Mr. Nutter, I'd like to ask you some names of some  
2 companies and ask if you recognize them. Syncon  
3 Resins?

4 A (Witness shakes head in the negative.)

5 Q Whitney Barrel?

6 A No.

7 Q Pilgrim Paint?

8 A No.

9 Q T.F. Washburn?

10 A No.

11 Q Gemini Chemical?

12 A No.

13 Q Commercial Solvents?

14 A No.

15 Q American Alkyd Industries?

16 A Seems though that rings a bell, but I ain't going  
17 to swear to it; I don't know.

18 Q Okay. Webster Cement?

19 A No.

20 Q Essex Chemical?

21 A No.

22 Q Webtex?

23 A No.

GE051136

- 1 Q What about a man named Joel Udell?
- 2 A Who?
- 3 Q Joel Udell.
- 4 A No.
- 5 Q What about a company -- I don't know how it's
- 6 pronounced, but TRANCOA?
- 7 A (Witness shakes head in the negative.)
- 8 Q What about Embassy Chemical Products?
- 9 A No.
- 10 Q Fletcher Freeman?
- 11 A No.
- 12 Q Rochambeau Perfume?
- 13 A No.
- 14 Q Windsor Cam?
- 15 A No.
- 16 Q Windsor Con?
- 17 A No.
- 18 Q Duscone?
- 19 A No.
- 20 Q Fletcher Northern Corp.?
- 21 A (Witness shakes head in the negative.)
- 22 Q Fletcher Eastern?
- 23 A No.

GE051137

1 Q Contoocook Paper Corporation?

2 A I have took drums over there, but they made -- in  
3 the paint factory, you know what I mean. It  
4 wasn't drums.

5 Q Are you saying you took paint over there?

6 A Contoocook Paper Company, I can remember that, but  
7 I don't know, it wasn't -- it was made in the  
8 paint room. It didn't come from New York.

9 Q So what you're saying is you delivered drums or  
10 material --

11 A Yeah, drums to the paper -- yeah, the Contoocook  
12 Paper Company.

13 Q Were they full?

14 A What they call open-head drums.

15 Q Open-head drums?

16 A Yeah.

17 Q Can you describe it?

18 A It's a big round cover and that was it. You fill  
19 up the drum with that stuff they made in the  
20 factory to take over there, and it was black, is  
21 what it was, and that's the only thing I know.

22 Q Do you have any knowledge of what it was used for?

23 A I guess for paper, that's the only thing -- I

GE051138

1 don't know.

2 Q Do you know who owned Contoocook Paper?

3 A Mr. Fletcher. Fred Fletcher is what we call him.

4 Q Did the paint company go by different names?

5 A Well, what amazed me, I look one day and DMB, NSA  
6 Corporation. I surprised myself. I thought it  
7 was just the Paint Works. When I first went  
8 there, I thought it was just the Paint Works and  
9 that was it right there, but that was it.

10 Q What name did the Paint Works go by?

11 A The Paint Works.

12 Q Okay. Just the Paint Works?

13 A To me, anyway, but then they come out with this  
14 Embassy stuff. Hey, I don't know. A lot of  
15 things you don't know, and I don't know.

16 Q How frequently would you take these drums of  
17 material from the Paint Works to Contoocook Paper?

18 A Oh, not too often. I mean -- I think I only been  
19 there twice, I say twice, maybe just once. I know  
20 I been once, but I can't say any more than that  
21 because I don't know.

22 Q And you have no idea what the black stuff in the  
23 drums was?

GE051139

- 1 A Well, no. As I say, I guess they made, stained  
2 the paper, made paper or something. I don't know  
3 what they do with it.
- 4 Q I'll ask you some more names, see if they ring a  
5 bell. Do you know who Alfred Buffelli is?
- 6 A No.
- 7 Q Bruce Hagar?
- 8 A No.
- 9 Q Richard W. Fletcher?
- 10 A Yeah.
- 11 Q Who's Richard Fletcher?
- 12 A Fred's son.
- 13 Q Did he work there when you were working there?
- 14 A Yeah.
- 15 Q What did he do when you were working there?
- 16 A Helped the paint maker, some other stuff, too, you  
17 know what I mean, load the truck or supplies for  
18 the store, stuff like that. He was just a kid.
- 19 Q I was just going to ask, was he in any kind of  
20 position of responsibility at that point?
- 21 A As far as I know, he just worked for his father,  
22 and he regretted it.
- 23 Q Why do you say that?

GE051140

1 A Well, you know what I mean, you know, a kid is a  
2 kid, driving, make him do something like that.  
3 Why, of course he used to be all covered with  
4 pigments and stuff like that and that didn't help  
5 any neither because he almost killed me one --  
6 kill, I dare say that. He gave me hell one day.

7 He told me a word and I was making fun of  
8 him, is what I was. I shouldn't have done it, but  
9 I was making fun of him, and he looked at me and  
10 he said, "You," and that was it right there. But  
11 I think he just got done cleaning out the tanks,  
12 and of course it made him real drunk. He didn't  
13 know what he was doing, anyway.

14 Q Now, when you keep saying working in the tanks  
15 made you drunk --

16 A Solvent was in the tank, and it made you --

17 Q Going back to the names, what about Sean McGrath?

18 A I don't know. Gee, maybe it was, I don't know.

19 Q Victoria Fletcher?

20 A Daughter.

21 Q Did she ever have anything to do with the Paint  
22 Works itself?

23 A Well, she worked at the store, I guess, with her

GE051141



1 mother, Mary.

2 Q Did she ever get involved in the manufacturing  
3 side?

4 A I wouldn't say so, no.

5 Q What about Brenda Brooks?

6 A Seems though she worked for Contoocook. I don't  
7 know. I don't know about that, either.

8 Q What about Ozzie Aspenwall?

9 A (Witness shakes head in the negative.)

10 MS. WITT: Okay. Why don't we mark this  
11 photograph as Number 7.

12 (Photograph was marked Nutter Exhibit 7  
13 for identification.)

14 MR. LAMBERT: Just for the record, the  
15 transparency is not part of that exhibit.

16 MS. WITT: Right. Actually, it's about to  
17 come off here, so I will just remove it.

18 Q I'd like to show you this photograph -- I know  
19 it's very difficult --

20 A You better believe it.

21 Q -- and represent to you that this is an overhead  
22 of Milford and that the Paint Works is in this  
23 upper corner. I don't know how -- it's very

GE051142

1 small, so -- can you point out to me on that  
2 picture, if you can, about where the Paint Works  
3 was located?

4 A Maybe that was it there.

5 Q Okay.

6 A I couldn't be sure.

7 Q If you look at it carefully, it appears as though  
8 some drums are stored outside -- well, here.  
9 Looking at that, to the best of your recollection,  
10 are those the approximate areas that the drums  
11 were stored when you were working there?

12 A Approximately. I didn't quite --

13 Q Is that where they stored drums when you were  
14 working there?

15 A Yeah, out back, just what I say.

16 MR. LAMBERT: Would it be possible to have  
17 the witness circle the feature that he's calling  
18 drums at your suggestion.

19 MS. WITT: Yes, I think that's all right.

20 Q If you could circle the area that's --

21 A As far as I -- I ain't going to be sure.

22 Q Okay. I'm just asking to the best of your  
23 recollection.

GE051143

1 Q Now, this is the Paint Works that you're circling?

2 A I hope so.

3 MR. LAMBERT: And then could he circle the  
4 area that he thinks are drums.

5 MS. WITT: Okay.

6 Q And then if you could circle the area that you  
7 think are drums.

8 A I think this is out back. I hope --

9 Q Do the same circles that you just did where the  
10 pen didn't take very well, where you thought the  
11 drums were.

12 A (Witness complies.)

13 That sound right?

14 MR. LAMBERT: I don't know.

15 MS. WITT: Let's mark this as Number 8.

16 (Map was marked Nutter Exhibit 8 for  
17 identification.)

18 MR. LAMBERT: Could we have a chat about  
19 this before you use it?

20 (Recess.)

21 Q I'm going to show you what's been marked as Nutter  
22 Number 8, which I'll represent to you is an  
23 overhead view of the Mill Street --

GE051144

1 A Yeah.

2 Q -- building, which I believe is that?

3 A Yeah.

4 Q If you could take a look at it for me and tell me  
5 approximately or to the best of your knowledge  
6 where drums were stored when they were stored at  
7 Mill Street.

8 A Mill Street?

9 Q Yeah, this is Mill Street.

10 A This is Mill Street?

11 Q Uh-huh.

12 A Let's see --

13 Q And just for point of reference, these are the  
14 railroad tracks back here.

15 A In this territory here.

16 Q Okay. If I could ask you to just kind of mark  
17 with a couple of Xs where the drums were stored  
18 when they were stored at Mill Street.

19 A Oh, boy. Oh, boy, I'd say right in there, but  
20 maybe it wasn't.

21 Q And if you could just write drums underneath.

22 MR. LAMBERT: And maybe just circle to make  
23 it more visible.

GE051145

1 Q Why don't you put a circle around those Xs and  
2 then write drums underneath it.

3 A (Witness complies.)

4 Q And then if I could ask you to put your initials  
5 and today's date, April 28th, in the corner.

6 A (Witness complies.)

7 Q When drums were stored at Mill Street, do you have  
8 any idea of how many were stored there?

9 A No.

10 Q A few?

11 A Well, yeah, a few, yeah, got to be a few.

12 Q Were they stacked on top of each other?

13 A Yeah.

14 Q How many high, do you recall, how many drums high?

15 A Maybe three or four high; I'm -- more or less,  
16 probably four, maybe.

17 Q Were they stored standing up or on their side?

18 A Like this, yeah, on their side.

19 Q What about at Elm Street down at the main Paint  
20 Works, were they stored on their side or straight  
21 up?

22 A Well, I think some of them were stored standing up  
23 and some of them were laying down. Most of them

GE051146

1 was laying down.

2 Q Were they stacked more than one high down at the  
3 main Paint Works?

4 A Just about. I told you about Mill Street, and  
5 that's about --

6 Q About four high?

7 A Yeah, as far as I know.

8 Q Do you have any idea how many drums were regularly  
9 stored down at the main site?

10 A I have no idea.

11 MR. LAMBERT: The main site is the  
12 Elm Street, not Main Street?

13 MS. WITT: Yeah, I know I misspoke.

14 Q When you unloaded the truck coming from the Glens  
15 Falls plant, did anybody direct you to a  
16 particular area to unload and stack the drums?

17 A Well, just -- yeah, this guy told me to go up this  
18 place and that's where I went, where I got the  
19 drums from.

20 Q No, I'm talking about at the Milford Paint Works.

21 A Oh.

22 Q Did somebody tell you where to put the drums when  
23 you unloaded the truck?

GE051147

1 A I couldn't because I was in the truck at the time.  
2 I was just taking them out the door and hooking  
3 them on the tongs, and the guy would take them and  
4 put them up --

5 Q So you didn't actually unload them; somebody else  
6 did?

7 A Well, I call -- I was helping him, do you know  
8 what I mean, from inside the truck to the guy that  
9 had the tractor.

10 MS. WITT: I have no further questions of  
11 you, Mr. Nutter. Mr. Lambert probably will have  
12 some for you.

13 EXAMINATION

14 BY MR. LAMBERT:

15 Q I'd like to ask you some questions about --

16 A I'll do my damnest.

17 Q And I'm going to start out by asking you questions  
18 about some of the questions that you've already  
19 answered. I just want to try to clarify my  
20 understanding of what you said.

21 First of all, as best you can recall, did  
22 you ever go to a GE facility in Hudson Falls,  
23 New York?

GE051148

1 A Might have and didn't know it.

2 Q To the best of your knowledge, were you ever at a  
3 General Electric facility in Ft. Edwards?

4 A No, I can't -- that don't ring a bell, neither.

5 Q Now, can you tell me whether the number of trips  
6 that you made to the facility that you said was in  
7 Glens Falls, can you tell me whether the number  
8 was more than 10 or less than 10?

9 A I'd say less than 10.

10 Q Can you tell me whether it was more than five or  
11 less than five?

12 A Possibility.

13 Q Could be close to five?

14 A Well, yeah.

15 Q Did anybody at the General Electric facility tell  
16 you what was in the drums?

17 A No. Just as I say, you don't ask questions. You  
18 just hand them the paper, they take it, and they  
19 know what the hell they're supposed to be doing.

20 Q Did you ever read the paper?

21 A Well, all I can say is pick up so many drums or  
22 something like that. I can't remember exactly  
23 what it said because I didn't pay attention. All

GE051149



1 I know is that I had to go to that outfit.

2 Q Did the piece of paper say pick up so many drums  
3 of a particular type of substance, do you recall?

4 A No.

5 Q You said that you understood that what was in the  
6 drums was something called aro --

7 A Arocol.

8 Q Arocol?

9 A Yeah.

10 Q Where did you learn that name?

11 A Back at the paint factory.

12 Q Can you remember who you remember using that term?

13 A Mr. Bishop, Clyde Bishop.

14 Q Lloyd Bishop?

15 A Clyde, Clyde. He's dead.

16 Q Okay. What was Mr. Bishop's job?

17 A Well, he was the chemist, as far as I know, and  
18 laborer. Well, my way of thinking it, he was --  
19 he had to go out and work after he got done what  
20 he was supposed to do. He went out and helped us  
21 outdoors if we was outdoors stacking paint pails  
22 or something like that, but his main job was the  
23 chemist, was what his main job was as far as I

GE051150

1 know.

2 Q Did you actually see him test what was in the  
3 drums or take samples from the drums?

4 A Well, I seen him hold up something; I couldn't  
5 tell.

6 Q Did you see him hold up samples from the drums  
7 that you got from New York?

8 A I take it it was.

9 Q When you returned to Milford with the drums from  
10 New York, did Mr. Bishop come out when you were  
11 still near the truck?

12 A Maybe he did, but I don't recall that one.

13 Q What did you see Mr. Bishop doing?

14 A He most generally I say -- well, laboratory, would  
15 that be right?

16 Q Right.

17 A Laboratory checking out the stuff that -- and  
18 sometime he'd check it outdoors and indoors, yeah,  
19 that's what he'd do, he'd check it outdoors and  
20 indoors, too. Now, I don't know what the hell he  
21 was doing.

22 Q Did you see him check the drums that came from  
23 New York both outdoors and indoors?

GE051151

- 1 A Did I see him what?
- 2 Q Did you see him check the material that was in the  
3 drums that came from New York, both indoors and  
4 outdoors?
- 5 A I take it -- indoors and outdoors, too. I take it  
6 that's what he was doing.
- 7 Q What exactly did you see him doing?
- 8 A Well, he had a thing there.
- 9 Q What kind of thing was it?
- 10 A Well, it was a toilet plunger, a thing you put  
11 down in the drums and it fills up the thing.
- 12 Q It took some of the liquid out of the drums?
- 13 A Yeah, yeah.
- 14 Q And then what did he do?
- 15 A Well, he put them in a container.
- 16 Q Okay. And then what did he do?
- 17 A Take them in the laboratory.
- 18 Q Did you ever see him work with that material in  
19 the laboratory?
- 20 A Well, I went by, but I wasn't paying too much  
21 attention to it because it wasn't my business  
22 actually.
- 23 Q Did he take a sample out of each of the drums that

GE051152

1           came from New York?

2           A           I can't tell you that. I don't know whether he  
3           tested every one of them because I don't know, I  
4           don't know.

5           Q           Was there anyone other than Mr. Bishop who worked  
6           as a chemist while you worked at Fletcher's?

7           A           Well, this kid, a fellow name Whitney, he kept --  
8           and Wesson, the guy who took over the  
9           superintendent's detail, he might get interested,  
10          I don't know, but his main job I think was to keep  
11          us guys busy, you know what I mean, making paint  
12          and stuff.

13          Q           What was Mr. Whitney's first name?

14          A           It seems as though it was Richard. Now, I may be  
15          wrong on that, too.

16          Q           Did you ever see Mr. Whitney take samples from  
17          drums?

18          A           No.

19          Q           Did the Paint Works use solvents in making paints?

20          A           Yeah.

21          Q           Do you know how the solvents came to the Paint  
22          Works; in other words, what they were contained  
23          in?

GE051153

1 A I used to have to go -- I think it was down to  
2 New England Chemical and pick up the -- up this  
3 arocol -- not arocol but Xylol and mineral  
4 spirits, I used to have to pick up that stuff and  
5 pigments, they used to ship it in and so forth.

6 Q First as to the Xylol, did that come in drums?

7 A Drums, 55-gallon drums, gray.

8 Q And did the mineral spirits come in drums, too?

9 A Right.

10 Q Do you remember what kind of drums they were?

11 A 55-gallon drums.

12 Q Do you remember the color?

13 A The color?

14 Q Color.

15 A I couldn't quite get that.

16 Q Did you remember the color of the mineral spirits  
17 drums?

18 A The color of the mineral spirit drum, gray.

19 Q Gray?

20 A Yeah.

21 Q Where did you go to pick them up?

22 A New England Chemical Company, I guess was the  
23 company.

GE051154

1 Q What was it called?

2 A New England Chemical Company, I think.

3 Q New England Chemical Company?

4 A Yeah.

5 Q Where was New England Chemical Company?

6 A Merrimack.

7 Q Did you go to New England Chemical Company to pick  
8 up drums of Xylol or mineral spirits more than one  
9 time?

10 A Yeah, but don't ask me how many.

11 Q Well, was it something that you did regularly?

12 A Well, no, not regular because they didn't use that  
13 much.

14 Q Can you tell me roughly how many drums were picked  
15 up each time you went?

16 A Three or four, two, three, something like that,  
17 not too many. I would say four.

18 Q Four drums of each, of both --

19 A Same, mineral spirits would probably be three or  
20 vice versa. Xylol might be -- just turned around,  
21 is what it did.

22 Q So it would be three or four drums of each?

23 A Yeah, just two kinds, yeah.

GE051155

- 1 Q Would you go once a week or more often than that?
- 2 A No, sometimes I didn't go that time, either, once
- 3 a week.
- 4 Q Once a month?
- 5 A Possible.
- 6 Q More often than once a month?
- 7 A Possible.
- 8 Q What's your best recollection of how often you
- 9 went?
- 10 A Gees, maybe a couple times a month.
- 11 Q Where were the drums of mineral spirits and Xylol
- 12 put when you brought them back to the Paint Works?
- 13 A Outdoors, as far as I know.
- 14 Q Were they put in the same location as the drums
- 15 that you brought from New York?
- 16 A Seems as though I kept them kind of separate.
- 17 Now, I don't know exactly, no, because I don't
- 18 know.
- 19 Q If I showed you the map, would you be able to show
- 20 me where those drums were?
- 21 A No, I couldn't.
- 22 Q You don't remember where those drums were put?
- 23 A Not exactly, no.

GE051156

1 Q Apart from the drums that came from New York and  
2 the drums of mineral spirits and the drums of  
3 Xylol, was there anything else that came in drums?  
4 A Well, yeah, lead dryer came in drums.  
5 Q Lead dryer?  
6 A Yeah, and cobalt, that's a dryer.  
7 Q Cobalt dryer?  
8 A Yeah.  
9 Q Was lead dryer a solid or a liquid?  
10 A Well, it was liquid. You had to drudge it out.  
11 Q It was liquid?  
12 A As far as I know, yes.  
13 Q Was the cobalt dryer a liquid as well?  
14 A Liquid, I say liquid. I don't know, whatever.  
15 Q Is it your best recollection that it was liquid?  
16 A Yeah.  
17 Q Okay. Apart from those two, was there anything  
18 else that came in drums?  
19 A I was just trying to think.  
20 Q Okay.  
21 A No.  
22 Q What was the primary -- if you know the answer to  
23 this. If you don't know the answer, you can just

GE051157



1 say so. What was the primary liquid component of  
2 the paint?

3 A Liquid?

4 Q Liquid.

5 A I'd say right there.

6 Q Which ones?

7 A Well, both of them -- he had a formula, is what  
8 they did.

9 Q Formula?

10 A Formula, yeah, and he'd write out these formulas,  
11 you know what I mean, on the card and then you  
12 take it and go from there.

13 Q Did you ever mix paint yourself?

14 A I helped, put it that way, that's why I got --

15 Q Where did the liquid come from that was used in  
16 making the paint? In other words, where was it  
17 before it went into the vat where the paint was  
18 mixed?

19 A In the paint factory.

20 Q Where in the paint factory was it?

21 A Well, next to the windows, is the best way I could  
22 put that.

23 Q I'm going to show you Exhibit 2 again. This is

GE051158

- 1 the map. Can you show me where on the map,  
2 looking at the -- do you see on the map where the  
3 Paint Works is?
- 4 A Uh-huh.
- 5 Q Can you show me in what part of the building the  
6 paint was manufactured?
- 7 A That's going that way, right? I say in here, in  
8 this part.
- 9 Q Can you just put a circle in the area where the  
10 paint was manufactured.
- 11 A A circle?
- 12 Q A circle, just some way to indicate where it was  
13 that the paint was mixed.
- 14 A There, I guess.
- 15 Q Was it manufactured in that wing of the building?
- 16 A Yeah.
- 17 Q How much of the wing of the building was used for  
18 paint manufacture?
- 19 A Probably about half.
- 20 Q Could you mark the half of the wing that was used  
21 for paint manufacture.
- 22 A Zero?
- 23 Q Yes, please.

GE051159

- 1 A I guess.
- 2 Q You've drawn two circles now.
- 3 A Yeah.
- 4 Q Was paint manufactured at both of those areas or  
5 only at one of them?
- 6 A Just one of them.
- 7 Q Okay. Which one? Which of the areas that you've  
8 marked with a circle was used for paint  
9 manufacture?
- 10 A This one.
- 11 Q Okay. Would you draw a line from the circle out  
12 to a blank space and put paint made here.
- 13 A (Witness complies.)
- 14 Q Were there vats in the area where paint was made?
- 15 A Yeah, that's how they made it.
- 16 Q Big vats?
- 17 A Well, hundred pound at a time, that's all they  
18 used -- not 100 pound -- I guess that's how they  
19 call it -- 100 gallons at a time there.
- 20 Q Is it right that some of the ingredients of the  
21 paint were in solid form and some were in liquid  
22 form?
- 23 A Yes, some solid form.

GE051160

1 Q Some solid and some liquid as well?

2 A Yeah.

3 Q Do you remember what the liquid part of the recipe  
4 was?

5 A No.

6 Q Do you remember mixing in the paints some of the  
7 material that came in the drums from New York?

8 A I can't tell you that; I don't know. Just as I  
9 say, these cards -- he'd make out the cards, the  
10 chemist would make out the cards, and you just  
11 went by them. You didn't give it a thought about  
12 that stuff.

13 Q You didn't think about what was going in?

14 A No.

15 Q Were there any tanks in the area where paint was  
16 manufactured that held liquid that was used in  
17 making the paints?

18 A Well, it would be the lead dryer there and the  
19 cobalt. I had to go in there because that was --  
20 the dryers was what it was.

21 Q All right. Were there any drums in the area where  
22 the paints were made?

23 A That's a blank. I don't know.

GE051161

1 Q Were there any tanks in the area where the paint  
2 was made?

3 A Seems as though it was, but I can't recall that,  
4 either, but it seems as though it had one tank, I  
5 think. Yeah, I think it had one tank.

6 Q Do you remember what was stored in the tank?

7 A Mineral spirits.

8 Q Do you know how the mineral spirits got into the  
9 tanks -- I'm sorry, into the tank --

10 A I think they come up from Merrimack with a tank  
11 truck and pumped it in the tank.

12 Q Was the tank in the part of the plant where the  
13 paint was made?

14 A Yeah, if I remember right.

15 Q What was the rest of the plant used for?

16 A The rest of the plant?

17 Q Yes.

18 A This would probably be the store in here where  
19 they sell the merchandise, where they sell --

20 Q Why don't you write store where the store was.

21 A (Witness complies.)

22 Q Let me ask you a few questions now about the Mill  
23 Street storage.

GE051162

- 1 A I don't know that too well.
- 2 Q My first question is how often did you go there?
- 3 A Oh, it weren't too many times, but I can't tell
- 4 you exactly because I don't know.
- 5 Q Did you both bring drums to the Mill Street
- 6 storage area and bring drums back from there?
- 7 A No, no.
- 8 Q Did you bring drums to the Mill Street area?
- 9 A Maybe they had, but I can't recall it.
- 10 Q Did you ever bring drums back from there?
- 11 A I don't recall that, either.
- 12 Q Did you ever see anyone drive the drums that came
- 13 from New York from Elm Street to the Mill Street
- 14 storage area?
- 15 A No.
- 16 Q Did you ever do it yourself?
- 17 A I can't --
- 18 Q Can you remember?
- 19 A No, I can't.
- 20 Q Was the storage area used to store anything other
- 21 than drums?
- 22 A Well, inside the building, yeah.
- 23 Q What was that used for?

GE051163

1 A Paint pigments, you know, green -- green bags --  
2 well, there was green, black and whatever colors  
3 from the rainbow.

4 Q Did the pigments come in bags or did they come  
5 in --

6 A Bags.

7 Q Was anything else stored inside the building there  
8 other than paint pigments that you know of?

9 A No. Well, wait a minute, seemed as though they  
10 had -- the paint pails they used to put them in  
11 there, there was just a little place. It seems as  
12 though they used to put paint pails in there,  
13 yeah, seems so, the pails.

14 Q Empty pails?

15 A Yeah.

16 Q When you went to the General Electric plant to  
17 pick up drums, did you see any signs either on the  
18 drums or near the drums that you can recall?

19 A Just what I said, Mohawk. Mohawk, that's all I  
20 can remember is Mohawk.

21 Q Do you recall Mohawk being written on the drums?

22 A I think it's printed.

23 Q Printed on the drums?

GE051164

1 A Yeah.

2 Q Was it on each drum?

3 A I can't say that. I don't know.

4 Q Was it on a number of the drums?

5 A Yeah.

6 Q Did you ever hear of a facility called Niagra  
7 Mohawk?

8 A No, new one on me.

9 Q When you drove to General Electric in your truck,  
10 was your truck empty?

11 A Yeah.

12 Q You were asked whether you ever drove the truck to  
13 North Adams, Massachusetts or to New Bedford,  
14 Massachusetts. Did you ever drive to a facility  
15 or a plant called Sprague Electric?

16 A As far as I know, no.

17 Q How about a plant called Aerovox?

18 A No.

19 Q Did you ever drive to a plant owned by a company  
20 called Rohm & Haas?

21 A No.

22 Q Do you know whether inks were ever made at the  
23 Paint Works?

GE051165



1 A Inks?

2 Q Inks.

3 A No.

4 Q How about varnishes?

5 A I can't recall that, either.

6 Q I couldn't quite hear an answer that you gave to a  
7 question earlier about the material that was taken  
8 to Contoocook Paper Company.

9 A Uh-huh.

10 Q Did you say it was black?

11 A Black.

12 Q Was it ink?

13 A Well, I don't know if it was ink or not.

14 Q Did you bring it there from the Elm Street plant?

15 A Right.

16 Q Where in the Elm Street plant was it before you  
17 took it to Contoocook?

18 A They made it inside -- inside the plant, as far as  
19 I know. I know -- yeah, they did.

20 Q What materials came to the plant on the railroad?

21 A Well, let's see, what's it called? Whiting,  
22 whiting, that's in bags, paper bags, I guess they  
23 call them paper bags, and of course some pigment,

GE051166

1 I think it did. I don't know -- no, I don't know  
2 on that. I can remember whiting because we have  
3 to go there from the freight car.

4 Q Did you ever hear of the name Spencer Kellogg?

5 A It don't ring a bell, but.

6 Q Did you ever see Spencer Kellogg written on a  
7 drum?

8 A No, I can't say I did.

9 Q You mentioned that solvents were used to make the  
10 paint. When you said solvents, were you referring  
11 just to the mineral spirits and to the Xylol or  
12 were there other solvents as well?

13 A As far as I know, yeah, that's just the mineral  
14 spirits and, yeah --

15 Q Xylol?

16 A -- Xylol. Yeah, got me going on that.

17 Q Did you ever actually see anyone bring drums to  
18 the Paint Works other than yourself?

19 A Well, just as I say, when it first started, I  
20 think Mr. Hooper, he been up through that neck of  
21 the woods.

22 Q Did Mr. Hooper bring in drums during the same  
23 period of time that you were bringing in drums?

GE051167

- 1 A No, no, just one truck, that's all they had.
- 2 Q Who had only one truck?
- 3 A Mr. Fletcher.
- 4 Q Let me ask you about Mr. Hooper.
- 5 A Yeah.
- 6 Q Did you ever see Mr. Hooper bring in drums?
- 7 A It seems as though I have a couple times.
- 8 Q Was it before you started bringing in drums or  
9 after or at the same time?
- 10 A Before.
- 11 Q Did you take Mr. Hooper's place in bringing in  
12 drums?
- 13 A If you want to call it that, I imagine I did  
14 because I went up there. That's all I can tell  
15 you.
- 16 Q Do you know whether anyone took your place after  
17 you stopped going to New York?
- 18 A This fellow name of Don Jenks, maybe he went up.  
19 That's when I got caught on a DWI.
- 20 Q Once you had the DWI, did you ever go to New York  
21 again?
- 22 A No, I don't believe I did. I can't recall that.
- 23 Q Did you ever see Mr. Jenks drive in with a load of

GE051168

- 1 drums?
- 2 A No.
- 3 Q Did you ever talk to Mr. Hooper about going to  
4 New York and bringing back drums?
- 5 A Yeah, how to get up there, yeah.
- 6 Q Did he give you directions?
- 7 A Yeah, he done the best he could, I take it, but I  
8 wasn't too smart at it.
- 9 Q Have you ever heard the word "emulsion" used in  
10 connection with making paint at Fletcher's?
- 11 A No.
- 12 Q I wanted to ask you a few more questions about the  
13 people who managed the Paint Works. When you were  
14 there, is it right that Mr. Fletcher, Frederick  
15 Fletcher, was in charge?
- 16 A He was the boss, as far as I know. Now, there  
17 might be other people involved, I don't know.
- 18 Q Okay. Who else did you understand to be among the  
19 bosses?
- 20 A Casserino.
- 21 Q Okay. Anybody else other than Mr. Casserino?
- 22 A Wesson.
- 23 Q Anyone else besides those two?

GE051169

- 1 A Well, Mr. Hooper liked to be boss, I'll tell you,  
2 he liked to be boss.
- 3 Q Did you use the word "superintendent" to describe  
4 Mr. Casserino before?
- 5 A Yeah.
- 6 Q And was Mr. Wesson also a superintendent?
- 7 A That's why I understand that's what he got hired  
8 for, yeah.
- 9 Q When you were answering questions before, you said  
10 that Mr. Wesson came after Mr. Casserino. Do you  
11 mean that he came after him in the sense that he  
12 replaced him or that he worked the next shift?
- 13 A No shift, no second shift.
- 14 Q No second shift?
- 15 A No.
- 16 Q Did he replace Mr. Casserino?
- 17 A I would say so, yeah, because Tony was there as I  
18 was there, and then, as I say, Mr. Wesson come  
19 there. I don't know whether he's dead or alive.
- 20 Q How about Mr. Casserino?
- 21 A Well, I know he's dead. He was a good person to  
22 me, a pretty good friend.
- 23 Q Do you recall the names of any of the other people

GE051170

1 who worked at Fletcher's at the same time that you  
2 did that are still alive?

3 A A guy named of Racicot, John Racicot --

4 Q How would you spell that, as best you can?

5 A Good question.

6 Q You'll do the best you can.

7 A R-a-c-i-o-c-t-n. I don't know, that don't sound  
8 right.

9 Q Pronounce it one more time.

10 A Racicot.

11 Q Racicot?

12 A Yeah, forget it.

13 Q Okay.

14 A -- and this Whitney there, Richard Whitney.

15 Q Do you know where Mr. Racicot lives now?

16 A [REDACTED]

17 Q [REDACTED]

18 A [REDACTED]

19 [REDACTED]

20 Q How about Mr. Whitney?

21 A He did live in Wilton, W-i-l-t-o-n, as far as I  
22 know.

23 Q Is there anybody else that's still alive that you

GE051171

1 worked with there?

2 A I'm just trying to think. Well, Hooper,  
3 Wally Hooper -- Wallace Hooper is the first name,  
4 but we call him Wally.

5 Q Okay.

6 A That's the best I can remember.

7 Q Was Frederick Fletcher still in charge when you  
8 left?

9 A Who?

10 Q Frederick Fletcher, was he still in charge when  
11 you left?

12 A Yeah.

13 Q And Richard was still a boy then?

14 A Yeah. Well, he's grown up. He would be a man,  
15 you know.

16 Q Right. You were asked some questions about when  
17 it was that you worked at Fletcher's, and you had  
18 a hard time remembering the specific time.

19 A Yeah.

20 Q Is there anything that you can recall happening  
21 while you were at Fletcher's that we would be able  
22 to use as a date to try to figure out when you  
23 were there? In other words, do you remember --

GE051172

- 1 A Well, after Labor Day --
- 2 Q It was after Labor Day?
- 3 A Yeah. What year, it still don't come for me --
- 4 fire, it would be -- they had a couple fires
- 5 there, would that help?
- 6 Q Maybe it would.
- 7 A They had a couple -- got them out before the fire
- 8 trucks come out, had fire extinguishers.
- 9 Q Were they big fires?
- 10 A I wouldn't call them big fires, you know,
- 11 something would just fire up, and that's about it.
- 12 That's what I would call them.
- 13 Q Did you ever work in any of the other businesses
- 14 that were right near Fletcher's?
- 15 A What kind of businesses?
- 16 Q Any businesses. I don't know, were any of the
- 17 other businesses where you worked?
- 18 A No.
- 19 Q When was the first time that you were contacted by
- 20 U.S. EPA, by the people here, to help them with
- 21 your memory of the facts, do you recall?
- 22 A Right here.
- 23 Q The subpoena?

GE051173



1 A Yeah.

2 Q Did you ever have a meeting --

3 A Well, wait a minute, first time --

4 Q First time that somebody called you.

5 A Well, yeah, let's see. Yeah, yeah, okay, a couple

6 years ago, a year ago or something like that. I

7 can't remember exactly when, but this guy -- yeah.

8 Q Do you remember who it was?

9 A What was his name -- Fuchio. I don't know how to

10 pronounce that name. The guy was here then.

11 Q Is it written down on the piece of paper?

12 A I don't know. I'm just looking. I don't see it.

13 I'm looking. Maybe I missed it.

14 Q First name is Ralph?

15 A Rick, they called him that. I don't see it.

16 Q Rick, okay.

17 A Yeah, Richard, he contactd me. That's the first

18 time. He come to my house.

19 Q Okay. Richard Fastoso?

20 A I guess so.

21 Q When was the first time that you spoke with him?

22 A Well, as I say, I'd say a couple years, maybe a

23 year ago, something like that. I don't remember

GE051174

1 exactly when. I don't know.

2 Q Did he ask you questions about Fletcher's like I  
3 am?

4 A Yeah.

5 Q Did he take notes when he was asking the  
6 questions?

7 A I think he had a pad and a pencil.

8 Q Did he ever show you a write-up of his notes and  
9 ask you to read it over?

10 A Seems as though he did the last time, not the  
11 first time, the last time.

12 Q When was the last time?

13 A Oh, a few months ago or something.

14 Q Did he ask you to sign something?

15 A I can't remember that.

16 Q Did you in fact read something over at his  
17 request?

18 A Yeah, I remember that.

19 Q Did you talk to him about what he had written  
20 after you read it over?

21 A Not too much, no, no, no, no, not too much.

22 Q Did he show it to you when he was present with  
23 you?

GE051175

1 A Yeah, I could see he was writing. I didn't know  
2 what he was writing.

3 Q Maybe I've confused you. He took notes while you  
4 were talking, is that right?

5 A Yeah.

6 Q And at some later time did he come back with a  
7 typewritten version of what the notes said and  
8 asked you to read the notes or read the  
9 typewritten version of the notes?

10 A Don't ring a bell, no.

11 Q Okay. When I asked you before if you had read  
12 something and you said you thought you had, what  
13 were you referring to?

14 A What he was writing.

15 Q The actual handwritten notes?

16 A I didn't know what the hell he was writing about,  
17 so.

18 Q Did he ask you to read the notes?

19 A Seems as though he did, but I might be wrong. I  
20 don't know.

21 Q When you talked to him about Fletcher's, did he  
22 have any documents that he showed you or any maps  
23 or any photographs that he showed you?

GE051176

1 A No.

2 Q I just want to get the order in which things  
3 happened straight. Did he take notes during the  
4 first time he talked to you or the second time?

5 A Possible, yeah.

6 Q It's possible?

7 A Yeah.

8 Q It's possible that he took notes both times?

9 A I would say so, yeah.

10 Q Do you remember which time you think that you may  
11 have looked at the notes, the first time or the  
12 second time?

13 A The second time, I think, if I remember right.

14 Q And what's your best recollection as to when the  
15 second time was? Was it within the last year?

16 A Well, it was recently, that's all I can say. I  
17 can't pinpoint it.

18 Q When we've asked you questions today, there have  
19 been sometimes that you've said that you don't  
20 remember.

21 A That's right, I don't.

22 Q I know that. Were there some things that you told  
23 Mr. Fastoso you couldn't remember as well?

GE051177

- 1 A That's right.
- 2 Q Were there some things that he asked you that  
3 we've asked you today that perhaps you were able  
4 to remember then but can't remember now?
- 5 A Possibility.
- 6 Q Is there any way of knowing that without you  
7 looking at the notes to see whether or not there  
8 are some things that you remembered then that  
9 you've forgotten now?
- 10 A I don't know.
- 11 Q You were asked questions about the condition of  
12 the drums that you picked up in New York, and if I  
13 understood you correctly, you said that when you  
14 picked them up in New York there were times when  
15 some of the bungs were loose?
- 16 A Uh-huh.
- 17 Q How did you know that the bungs were loose?
- 18 A You see the stuff come out of the thing there.
- 19 Q When you saw that a bung was loose, did you  
20 tighten it then?
- 21 A Tried to, yeah. I had a wrench, but sometimes you  
22 get in a hurry; and when you get in a hurry, you  
23 probably miss some, too.

GE051178

1 Q Do you know whether you missed some? Do you know  
2 whether you missed some?

3 A Maybe I have. I couldn't tell you that, either.  
4 I don't know.

5 Q Do you have a recollection of whether or not any  
6 of the drums that you brought in from New York  
7 actually spilled after you got them to Milford, do  
8 you recall? Do you know one way or the other?

9 A Repeat that.

10 Q Yeah, do you know for sure -- let me start over  
11 again. Do you know whether the drums, whether any  
12 of the drums that you brought from Milford -- I'm  
13 sorry -- do you know whether any of the drums that  
14 you brought from New York to Milford spilled after  
15 they got to Milford?

16 A No, I don't -- wait a minute now, possibly.

17 Q Do you know one way or the other?

18 A No, I don't.

19 Q Did you personally ever dump anything down the  
20 drain, any waste material down the drain?

21 A I think I have.

22 Q Do you know what it was that you dumped down the  
23 drain?

GE051179

1 A Waste from the stuff.

2 Q From the mixing of the paint?

3 A Yeah, that's right.

4 Q Did somebody ask you to do that?

5 A Seems as though they did. Well, I asked where to  
6 put it, and he said put it in there, good Christ.

7 Q But you said that you never dumped waste onto the  
8 ground or into the river, is that right?

9 A No, I can remember that because I never did.

10 Q And did you ever see anybody do that?

11 A Possible.

12 Q Can you recall one way or the other?

13 A No.

14 MR. LAMBERT: That's all the questions I  
15 have, Mr. Nutter. Thank you very much.

16 THE WITNESS: I done my best, don't get me  
17 wrong.

18 MS. WITT: We know you did. I have one or  
19 two quick questions.

20 EXAMINATION

21 BY MS. WITT:

22 Q Do you have any recollection of who was president  
23 of the United States when you were working for

GE051180

1 Fletcher?

2 A Jesus Christ, I want to say maybe Johnson -- no,  
3 it wouldn't be Johnson -- who was before Johnson?  
4 Truman -- no, no, Chirst, no, I can't --

5 Q Only if you recall. I was just trying to get a  
6 sense of time.

7 A I'm trying, but I can't.

8 Q Do you recall how you would actually drive, the  
9 route you would take to the facility that you went  
10 to in Glens Falls, do you remember the route you  
11 would take?

12 A I can't.

13 Q Okay. And when Mr. Wesson came in, did  
14 Mr. Casserino have any further involvement with  
15 Fletcher Paint after that?

16 A Well, he come out and they -- Mr. Casserino, the  
17 way I understood it, he would get the orders and  
18 he would hand it to Mr. Wesson.

19 Q So he was still working at the Paint Works, just  
20 he was not the superintendent anymore of the paint  
21 manufacturing?

22 A Well, I can't tell you that. I don't know.

23 MS. WITT: All right. Those are the only

GE051181



1 questions I have. Thank very much, Mr. Nutter.

2 THE WITNESS: Good.

3 EXAMINATION

4 BY MR. LAMBERT:

5 Q Were you a baseball fan?

6 A Not too much, no.

7 Q All right. I won't ask you who was playing for  
8 the Red Sox.

9 A Red flops.

10 (The deposition concluded at 3:05 p.m.)

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(Deponent)

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_, SS.

Subscribed and sworn to before me this \_\_\_\_\_ day  
of \_\_\_\_\_, 19\_\_\_\_\_.

\_\_\_\_\_  
Notary Public/Justice of the Peace  
My Commission Expires:\_\_\_\_\_

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C E R T I F I C A T E

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I, Sandra de Vasconcellos, a Certified Shorthand Reporter of the State of New Hampshire, do hereby certify that the foregoing is a true and accurate transcript of my stenographic notes of the deposition of Warner E. Nutter, who was first duly sworn, taken at the place and on the date hereinbefore set forth.

I further certify that I am neither attorney nor counsel for, nor related to or employed by any of the parties to the action in which this deposition was taken, and further that I am not a relative or employee of any attorney or counsel employed in this case, nor am I financially interested in this action.

  
Sandra de Vasconcellos, CSR, RPR

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